

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ulrike Reeh et al.
Serial No. : 09/221,789
Filed : December 28, 1998
Title : LIGHT-RADIATING SEMICONDUCTOR COMPONENT WITH A
LUMINESCENCE CONVERSION ELEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Art Unit : 2815
Examiner : Jerome Jackson, Jr.

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PROGRAMS EXAMINER

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PETITION TO WITHDRAW NOTICE OF ABANDONMENT

Under 37 CFR §§1.8(b) and 1.181, applicant hereby petitions to withdraw the Notice of Abandonment mailed June 25, 2003 (copy enclosed). The application was abandoned under 37 CFR §1.135 for failure to respond to the "Office Action" mailed January 2, 2002.

The undersigned, applicant's attorney of record, first became aware of the abandonment on June 27, 2003, upon receipt of the Notice of Abandonment and submits that this petition to withdraw the Notice is being promptly submitted as required by 37 CFR §1.8(b)(1).

The following documents are submitted under 37 CFR §1.8(b)(2) as proof that a Response was timely filed on May 2, 2002:

1. A copy of the response to the "Office Action", including an executed certificate of mailing signed by Jennifer Leveille on May 2, 2002;
2. A copy of the Petition for Extension of Time, including an executed certificate of mailing signed by Jennifer Leveille on May 2, 2002, which extended the period for responding to the "Office Action" for 1 month, to and including May 2, 2002;
3. A copy of the check dated May 2, 2002 and postcard dated May 2, 2002 that were included with the response and Petition for Extension of Time; and

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

June 30, 2003

Date of Deposit

Signature

Jennifer Leveille

Typed or Printed Name of Person Signing Certificate

Applicant : Ulrike Reeh et al.
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Page : 2 of 2

Attorney's Docket No.: 12406-
003001 / 199601650PUS01

4. A copy of the cancelled check and postcard stamped received by the PTO
Mailroom on May 10, 2002.

Applicant submits that the response to the "Office Action" was timely filed and requests
that the Notice of Abandonment be withdrawn.

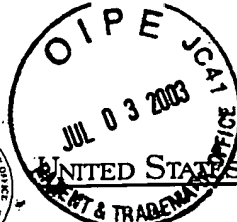
Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: June 3, 2003

William E. Booth
William E. Booth
Reg. No. 28,933

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906



ABJ
WGB

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/221,789	12/28/1998	ULRIKE REEH	12406-003001	4121

26161 7590 06/25/2003
FISH & RICHARDSON PC
225 FRANKLIN ST
BOSTON, MA 02110

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FISH & RICHARDSON, P.C.
BOSTON OFFICE

EXAMINER

JACKSON JR, JEROME

ART UNIT PAPER NUMBER

2815

DATE MAILED: 06/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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Docketed By Practice Systems	
Action Code:	AB-PTO emv
Base Date:	6/15/03
Due Date:	8/25/03
Deadline:	8/25/03
Initials:	WGB
Record:	—

Docketed By Billing Secretary	
Due Date:	
Deadline:	
Initials:	



Notice of Abandonment

Application No.

09/221,789

Examiner

Jerome Jackson Jr.

Applicant(s)

REEH ET AL.

Art Unit

2815

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 02 January 2002.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity) under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

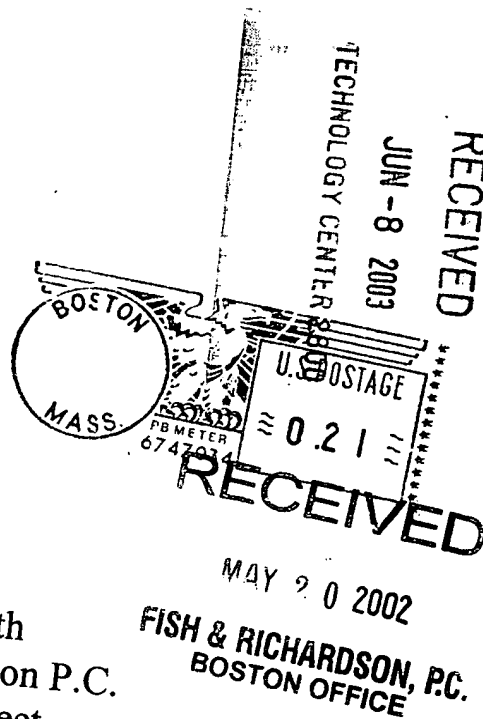
JEROME JACKSON
PRIMARY EXAMINER

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Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

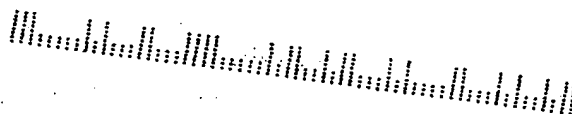


Attorney's Docket No. 12406-003001	Express Mail Label No.	Mailing Date May 2, 2002	For PTO Use Only <i>Do Not Mark in This Area</i>
Application No. 09/221,789	Filing Date December 28, 1998	Attorney/Secretary Init WEB/jql	
Title of the Invention LIGHT-RADIATING SEMICONDUCTOR COMPONENT WITH A LUMINESCENCE CONVERSION ELEMENT			
Applicant Ulrike Reeh et al.			
Enclosures ·Response (5 pages) ·Check in the amount of \$110.00 ·Petition for One-Month Extension of Time			

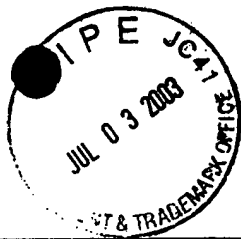


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Paid Dat = 05/16/2002
Account Number = 80071123
Check Number = 142239
Check Amount = \$110.00



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